

## § 360.200

## 7 CFR Ch. III (1-1-22 Edition)

or induce the carrying, entering, importing, mailing, shipping, or transporting; to offer to carry, enter, import, mail, ship, or transport; to receive to carry, enter, import, mail, ship, or transport; to release into the environment; or to allow any of the activities described in this definition.

**Noxious weed.** Any plant or plant product that can directly or indirectly injure or cause damage to crops (including nursery stock or plant products), livestock, poultry, or other interests of agriculture, irrigation, navigation, the natural resources of the United States, the public health, or the environment.

**Permit.** A written authorization, including by electronic methods, by the Administrator to move plants, plant products, biological control organisms, plant pests, noxious weeds, or articles under conditions prescribed by the Administrator.

**Person.** Any individual, partnership, corporation, association, joint venture, or other legal entity.

**Plant Protection and Quarantine Programs.** The Plant Protection and Quarantine Programs, Animal and Plant Health Inspection Service of the Department.

**Responsible person.** The person who has control over and will maintain control over the movement of the noxious weed and assure that all conditions contained in the permit and requirements in this part are complied with. A responsible person must be at least 18 years of age and must be a legal resident of the United States or designate an agent who is at least 18 years of age and a legal resident of the United States.

**State.** Any of the several States of the United States, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands of the United States, or any other territory or possession of the United States.

**Taxon (taxa).** Any grouping within botanical nomenclature, such as family, genus, species, or cultivar.

**Through the United States.** From and to places outside the United States.

*United States.* All of the States.

[41 FR 49988, Nov. 12, 1976, as amended at 75 FR 68953, Nov. 102, 2010]

### § 360.200 Designation of noxious weeds.

The Administrator has determined that it is necessary to designate the following plants<sup>1</sup> as noxious weeds to prevent their introduction into the United States or their dissemination within the United States:

(a) *Aquatic and wetland weeds:*

*Azolla pinnata* R. Brown (mosquito fern, water velvet)  
*Caulerpa taxifolia* (Vahl) C. Agardh, Mediterranean strain (killer algae)  
*Eichhornia crassipes* (Swartz) Kuntz  
*Hydrilla verticillata* (Linnaeus f.) Royle (hydrilla)  
*Hygrostachys polysperma* T. Anderson (Miramar weed)  
*Ipomoea aquatica* Forsskal (water-spinach, swamp morning-glory)  
*Lagarosiphon major* (Ridley) Moss  
*Limnophila sessiliflora* (Vahl) Blume (ambulia)  
*Melaleuca quinquenervia* (Cavanilles) S.T. Blake  
*Monochoria hastata* (Linnaeus) Solms-Laubach  
*Monochoria vaginalis* (Burman f.) C. Presl  
*Ottelia alismoides* (L.) Pers.  
*Sagittaria sagittifolia* Linnaeus (arrowhead)  
*Salvinia auriculata* Aublet (giant salvinia)  
*Salvinia biloba* Raddi (giant salvinia)  
*Salvinia herzogii* de la Sota (giant salvinia)  
*Salvinia molesta* D.S. Mitchell (giant salvinia)  
*Solanum tampicense* Dunal (wetland nightshade)  
*Sparganium erectum* Linnaeus (exotic bur-reed)

(b) *Parasitic weeds:*

*Aeginetia* spp.  
*Alectra* spp.  
*Cuscuta* spp. (dodders), other than following species:  
*Cuscuta americana* Linnaeus  
*Cuscuta appanata* Engelmann  
*Cuscuta approximata* Babington  
*Cuscuta attenuata* Waterfall

<sup>1</sup>One or more of the common names of weeds are given in parentheses after most scientific names to help identify the weeds represented by such scientific names; however, a scientific name is intended to include all subordinate taxa within the taxon. For example, taxa listed at the genus level include all species, subspecies, varieties, and forms within the genus; taxa listed at the species level include all subspecies, varieties, and forms within the species.

**Animal and Plant Health Inspection Service, USDA****§ 360.200**

- Cuscuta boldinghii* Urban  
*Cuscuta brachycalyx* (Yuncker) Yuncker  
*Cuscuta californica* Hooker & Arnott  
*Cuscuta campestris* Yuncker  
*Cuscuta cassyoides* Nees ex Engelmann  
*Cuscuta ceanothi* Behr  
*Cuscuta cephalanthi* Engelmann  
*Cuscuta compacta* Jussieu  
*Cuscuta coryli* Engelmann  
*Cuscuta cuspidata* Engelmann  
*Cuscuta decipiens* Yuncker  
*Cuscuta dentatasquamata* Yuncker  
*Cuscuta denticulata* Engelmann  
*Cuscuta epilinum* Weihe  
*Cuscuta epithymum* (Linnaeus) Linnaeus  
*Cuscuta erosa* Yuncker  
*Cuscuta europaea* Linnaeus  
*Cuscuta exaltata* Engelmann  
*Cuscuta fasciculata* Yuncker  
*Cuscuta glabrior* (Engelmann) Yuncker  
*Cuscuta globulosa* Bentham  
*Cuscuta glomerata* Choisy  
*Cuscuta gronovii* Willdenow  
*Cuscuta harperi* Small  
*Cuscuta howelliana* Rubtzoff  
*Cuscuta indecora* Choisy  
*Cuscuta leptantha* Engelmann  
*Cuscuta mitriformis* Engelmann  
*Cuscuta obtusiflora* Kunth  
*Cuscuta odontolepis* Engelmann  
*Cuscuta pentagona* Engelmann  
*Cuscuta planiflora* Tenore  
*Cuscuta plattensis* A. Nelson  
*Cuscuta polygonorum* Engelmann  
*Cuscuta rostrata* Shuttleworth ex Engelmann & Gray  
*Cuscuta runyonii* Yuncker  
*Cuscuta salina* Engelmann  
*Cuscuta sandwichiana* Choisy  
*Cuscuta squamata* Engelmann  
*Cuscuta suaveolens* Seringe  
*Cuscuta suksdorfii* Yuncker  
*Cuscuta tuberculata* Brandegee  
*Cuscuta umbellata* Kunth  
*Cuscuta umbrosa* Beyrich ex Hooker  
*Cuscuta veatchii* Brandegee  
*Cuscuta warneri* Yuncker  
*Orobanche* spp. (broomrapes), other than the following species:  
*Orobanche bulbosa* (Gray) G. Beck  
*Orobanche californica* Schlechtendal & Chamisso  
*Orobanche cooperi* (Gray) Heller  
*Orobanche corymbosa* (Rydberg) Ferris  
*Orobanche dugesii* (S. Watson) Munz  
*Orobanche fasciculata* Nuttall  
*Orobanche ludoviciana* Nuttall  
*Orobanche multicaulis* Brandegee  
*Orobanche parishii* (Jepson) Heckard  
*Orobanche pinorum* Geyer ex Hooker  
*Orobanche uniflora* Linnaeus  
*Orobanche valida* Jepson  
*Orobanche vallicola* (Jepson) Heckard  
*Striga* spp. (witchweeds)
- (c) *Terrestrial weeds:*
- Acacia nilotica* (Linnaeus) Wildenow ex Delile (gum arabic tree, thorny acacia)  
*Ageratina adenophora* (Sprengel) King & Robinson (crofton weed)  
*Ageratina riparia* (Regel) R.M. King and H. Robinson (creeping croftonweed, mistflower)  
*Alternanthera sessilis* (Linnaeus) R. Brown ex de Candolle (sessile joyweed)  
*Arctotheca calendula* (Linnaeus) Levyns (capeweed)  
*Asphodelus fistulosus* Linnaeus (onionweed)  
*Avena sterilis* Linnaeus (including *Avena ludoviciana* Durieu) (animated oat, wild oat)  
*Carthamus oxyacantha* M. Bieberstein (wild safflower)  
*Chrysopogon aciculatus* (Retzius) Trinius (pilipiliula)  
*Commelina benghalensis* Linnaeus (Benghal dayflower)  
*Crupina vulgaris* Cassini (common crupina)  
*Digitaria abyssinica* (Hochstetter ex A. Richard) Stapf (African couchgrass, fingergrass)  
*Digitaria velutina* (Forsskal) Palisot de Beauvois (velvet fingergrass, annual couchgrass)  
*Drymaria arenarioides* Humboldt & Bonpland ex J.A. Schultes (lightning weed)  
*Emex australis* Steinheil (three-cornered jack)  
*Emex spinosa* (Linnaeus) Campdera (devil's thorn)  
*Euphorbia terracina* Linnaeus (false caper, Geraldton carnation weed)  
*Galega officinalis* Linnaeus (goatsrue)  
*Heracleum mantegazzianum* Sommier & Levier (giant hogweed)  
*Imperata brasiliensis* Trinius (Brazilian satintail)  
*Imperata cylindrica* (Linnaeus) Palisot de Beauvois (cogongrass)  
*Inula britannica* Linnaeus (British elecampane, British yellowhead)  
*Ischaemum rugosum* Salisbury (murainograss)  
*Leptochloa chinensis* (Linnaeus) Nees (Asian sprangletop)  
*Lycium ferocissimum* Miers (African boxthorn)  
*Lygodium flexuosum* (Linnaeus) Swartz (maidenhair creeper)  
*Lygodium microphyllum* (Cavanilles) R. Brown (Old World climbing fern)  
*Melastoma malabathricum* Linnaeus  
*Mikania cordata* (Burman f.) B. L. Robinson (mile-a-minute)  
*Mikania micrantha* Kunth  
*Mimosa diplosticha* C. Wright (giant sensitive-plant)  
*Mimosa pigra* Linneaus var. *pigra* (catclaw mimosa)  
*Moraea collina* Thunberg (apricot Cape-tulip)  
*Moraea flaccida* (Sweet) Steudel (one-leaf Cape-tulip)  
*Moraea miniata* Andrews (two-leaf Cape-tulip)  
*Moraea ochroleuca* (Salisbury) Drapiez (red Cape-tulip)

## § 360.300

*Moraea pallida* (Baker) Goldblatt (yellow Cape-tulip)  
*Nassella trichotoma* (Nees) Hackel ex Arechavaleta (serrated tussock)  
*Onopordum acaulon* Linnaeus (stemless thistle)  
*Onopordum illyricum* Linnaeus (Illyrian thistle)  
*Opuntia aurantiaca* Lindley (jointed prickly pear)  
*Oryza longistaminata* A. Chevalier & Roehrich (red rice)  
*Oryza punctata* Kotschy ex Steudel (red rice)  
*Oryza rufipogon* Griffith (red rice)  
*Paspalum scrobiculatum* Linnaeus (Kodo-millet)  
*Pennisetum clandestinum* Hochstetter ex Chiovenda (kikuyugrass)  
*Pennisetum macrorhynchum* Trinius (African feathergrass)  
*Pennisetum pedicellatum* Trinius (kyasumagrass)  
*Pennisetum polystachyon* (Linnaeus) Schultes (missiongrass, thin napiergrass)  
*Prosopis alpataco* R. A. Philippi  
*Prosopis argentina* Burkart  
*Prosopis articulata* S. Watson  
*Prosopis burkartii* Munoz  
*Prosopis caldenia* Burkart  
*Prosopis caliginosa* Burkart  
*Prosopis campestris* Grisebach  
*Prosopis castellanossii* Burkart  
*Prosopis denudans* Benthams  
*Prosopis elata* (Burkart) Burkart  
*Prosopis farcta* (Banks & Solander) J.F. Macbride  
*Prosopis ferox* Grisebach  
*Prosopis siebrigii* Harms  
*Prosopis hassleri* Harms  
*Prosopis humilis* Gillies ex Hooker & Arnott  
*Prosopis kuntzei* Harms  
*Prosopis pallida* (Humboldt & Bonpland ex Willdenow) Kunth  
*Prosopis palmeri* S. Watson  
*Prosopis reptans* Benthams var. *reptans*  
*Prosopis rojasiana* Burkart  
*Prosopis ruizlealii* Burkart  
*Prosopis ruscifolia* Grisebach  
*Prosopis sericantha* Gillies ex Hooker & Arnott  
*Prosopis strombulifera* (Lamarck) Benthams  
*Prosopis torquata* (Cavanilles ex Lagasca y Segura) de Candolle  
*Rottboellia cochinchinensis* (Lour.) W. Clayton  
*Rubus fruticosus* Linnaeus (complex) (wild blackberry)  
*Rubus moluccanus* Linnaeus (wild raspberry)  
*Saccharum spontaneum* Linnaeus (wild sugarcane)  
*Salsola vermiculata* Linnaeus (wormleaf salsola)  
*Senecio inaequidens* DC. (South African ragwort)  
*Senecio madagascariensis* Poir. (Madagascar ragwort)

## 7 CFR Ch. III (1-1-22 Edition)

*Setaria pumila* (Poir.) Roem. & Schult. subsp. *pallidefusca* (Schumach.) B.K. Simon (cat-tail grass)  
*Solanum torvum* Swartz (turkeyberry)  
*Solanum viarum* Dunal (tropical soda apple)  
*Spermatoce alata* Aublet  
*Tridax procumbens* Linnaeus (coat buttons)  
*Urochloa panicoides* Beauvois (liverseed grass)

[48 FR 20039, May 4, 1983, as amended at 49 FR 25223, June 20, 1984; 57 FR 8838, Mar. 13, 1992; 60 FR 35832, July 12, 1995; 64 FR 12883, Mar. 16, 1999; 65 FR 33743, May 25, 2000; 66 FR 21060, Apr. 27, 2001; 71 FR 35381, June 20, 2006; 74 FR 53400, Oct. 19, 2009; 75 FR 68953, Nov. 10, 2010]

### § 360.300 Notice of restrictions on movement of noxious weeds.

No person may move a Federal noxious weed into or through the United States, or interstate, unless:

- He or she applies for a permit to move a noxious weed in accordance with § 360.301;
- The permit application is approved; and
- The movement is consistent with the specific conditions contained in the permit.

(Approved by the Office of Management and Budget under control number 0579-0054)

[75 FR 68954, Nov. 10, 2010]

### § 360.301 Information required for applications for permits to move noxious weeds.

(a) Permit to import a noxious weed into the United States. A responsible person must apply for a permit to import a noxious weed into the United States.<sup>2</sup> The application must include the following information:

- The responsible person's name, address, telephone number, and (if available) e-mail address;
- The taxon of the noxious weed;
- Plant parts to be moved;
- Quantity of noxious weeds to be moved per shipment;
- Proposed number of shipments per year;
- Origin of the noxious weeds;
- Destination of the noxious weeds;

<sup>2</sup>Information on applying for a permit to import a noxious weed into the United States is available at [http://www.aphis.usda.gov/plant\\_health/permits/plantproducts.shtml](http://www.aphis.usda.gov/plant_health/permits/plantproducts.shtml).